

# **EXHIBIT 1**

ANGLIN, FLEWELLING, RASMUSSEN,  
CAMPBELL & TRYTTEN LLP  
199 S. Los Robles Avenue, Suite 600  
Pasadena, California 91101-2459  
Tel: (626) 535-1900  
Fax: (626) 577-7764  
Jeremy E. Shulman  
*Attorneys for Movant*  
*Wells Fargo Bank, N.A., successor*  
*by merger with Wells Fargo Bank*  
*Southwest, N.A., f/k/a Wachovia Mortgage,*  
*FSB, f/k/a World Savings Bank, FSB*  
*("Wells Fargo")*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----		Case No. 12-12020 (MG)
In re:	)	
	)	Chapter 11
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,	)	
	)	Jointly Administered
Debtors.	)	
	)	(Re Debtor Executive Trustee Services, LLC,
-----		Case No. 12-12028)

**ORDER (A) GRANTING RELIEF FROM AUTOMATIC STAY PERMITTING  
PROSECUTION OF NON-BANKRUPTCY FORUM ACTION AGAINST DEBTOR  
EXECUTIVE TRUSTEE SERVICES, LLC, OR, IN THE ALTERNATIVE, (B)  
PERMITTING MOVANT TO CONDUCT DISCOVERY AND TO ISSUE TRIAL  
SUBPOENAS DIRECTED AT DEBTOR IN THE NON-BANKRUPTCY ACTION**

Upon the motion (the "Motion") of Wells Fargo Bank, N.A., successor, by merger with Wells Fargo Bank Southwest, N.A., f/k/a Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB ("Wells Fargo" and "Movant") for an order under Bankruptcy Code section 362 permitting Wells Fargo to continue prosecution of its cross-complaint against debtor Executive Trustee Services, LLC ("Debtor") in the matter entitled Franciska Susilo v. Wells Fargo Bank, N.A., et al., Case No. CV11-1814-CAS(RJWx), currently pending in the United States District Court (the

“District Court”) for the Central District of California (the “Action”), and consideration of the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; the Court having reviewed the Motion; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtor, its estate, its creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and the legal and factual bases set forth in the Motion establish just and sufficient cause to grant the requested relief herein; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefore.

**IT IS HEREBY FOUND, DETERMINED, AND ORDERED THAT:**

1. The Motion is GRANTED.
2. The stay imposed by section 362 of the Bankruptcy Code is hereby modified solely to allow Wells Fargo to proceed in the Action to final judgment (including any appeals) on its cross-complaint against Debtor.
3. Movant is permitted to enforce its final judgment only by collecting upon any available insurance in accordance with applicable non-bankruptcy law and/or proceeding against the Debtor as to non-estate property or earnings.
4. This Order is binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code.
5. The 14-day stay prescribed by Bankruptcy Rule 4001(a)(3) is waived.

**[IN THE ALTERNATIVE:]**

1. The alternative motion is GRANTED.
2. The stay imposed by section 362 of the Bankruptcy Code is hereby modified solely to allow Movant to conduct discovery in the Action directed at Debtor including, without limitation, the issuance of deposition notices and document demands, and to permit Movant to

issue trial subpoenas requiring certain officers, directors, agents and/or employees of Debtor, to appear and to produce documents at trial in the Action.

3. This Order is binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code.

4. The 14-day stay prescribed by Bankruptcy Rule 4001(a)(3) is waived.

Dated: New York, New York  
\_\_\_\_\_, 2012

---

United States Bankruptcy Judge